



House of Representatives

General Assembly

File No. 515

February Session, 2012

House Bill No. 5550

House of Representatives, April 18, 2012

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT PROVIDING FEDERAL PROBATION OFFICERS WITH ACCESS TO FIREARM DATA REGARDING PROBATIONERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 29-28 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2012*):

4 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
5 name and address of a person issued a permit to sell at retail pistols
6 and revolvers pursuant to subsection (a) of this section or a state or a
7 temporary state permit to carry a pistol or revolver pursuant to
8 subsection (b) of this section, or a local permit to carry pistols and
9 revolvers issued by local authorities prior to October 1, 2001, shall be
10 confidential and shall not be disclosed, except (1) such information
11 may be disclosed to law enforcement officials acting in the
12 performance of their duties, including, but not limited to, employees of
13 the United States Probation Office acting in the performance of their
14 duties, (2) the issuing authority may disclose such information to the

15 extent necessary to comply with a request made pursuant to section
16 29-33 for verification that such state or temporary state permit is still
17 valid and has not been suspended or revoked, and the local authority
18 may disclose such information to the extent necessary to comply with
19 a request made pursuant to section 29-33 for verification that a local
20 permit is still valid and has not been suspended or revoked, and (3)
21 such information may be disclosed to the Commissioner of Mental
22 Health and Addiction Services to carry out the provisions of
23 subsection (c) of section 17a-500.

24 Sec. 2. Subsection (e) of section 29-36g of the general statutes is
25 repealed and the following is substituted in lieu thereof (*Effective*
26 *October 1, 2012*):

27 (e) Notwithstanding the provisions of sections 1-210 and 1-211, the
28 name and address of a person issued an eligibility certificate for a
29 pistol or revolver under the provisions of section 29-36f shall be
30 confidential and shall not be disclosed, except (1) such information
31 may be disclosed to law enforcement officials acting in the
32 performance of their duties, including, but not limited to, employees of
33 the United States Probation Office acting in the performance of their
34 duties, (2) the Commissioner of Emergency Services and Public
35 Protection may disclose such information to the extent necessary to
36 comply with a request made pursuant to section 29-33 for verification
37 that such certificate is still valid and has not been suspended or
38 revoked, and (3) such information may be disclosed to the
39 Commissioner of Mental Health and Addiction Services to carry out
40 the provisions of subsection (c) of section 17a-500.

41 Sec. 3. Subsection (a) of section 53-202d of the 2012 supplement to
42 the general statutes is repealed and the following is substituted in lieu
43 thereof (*Effective October 1, 2012*):

44 (a) Any person who lawfully possesses an assault weapon, as
45 defined in section 53-202a, prior to October 1, 1993, shall apply by
46 October 1, 1994, or, if such person is a member of the military or naval
47 forces of this state or of the United States and is unable to apply by

48 October 1, 1994, because he or she is or was on official duty outside of
 49 this state, shall apply within ninety days of returning to the state to the
 50 Department of Emergency Services and Public Protection, for a
 51 certificate of possession with respect to such assault weapon. The
 52 certificate shall contain a description of the firearm that identifies it
 53 uniquely, including all identification marks, the full name, address,
 54 date of birth and thumbprint of the owner, and any other information
 55 as the department may deem appropriate. The department shall adopt
 56 regulations in accordance with the provisions of chapter 54 to establish
 57 procedures with respect to the application for and issuance of
 58 certificates of possession pursuant to this section. Notwithstanding the
 59 provisions of sections 1-210 and 1-211, the name and address of a
 60 person issued a certificate of possession shall be confidential and shall
 61 not be disclosed, except such records may be disclosed to (1) law
 62 enforcement agencies and employees of the United States Probation
 63 Office acting in the performance of their duties, and (2) the
 64 Commissioner of Mental Health and Addiction Services to carry out
 65 the provisions of subsection (c) of section 17a-500.

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|------------------------|------------|
| Section 1 | <i>October 1, 2012</i> | 29-28(d) |
| Sec. 2 | <i>October 1, 2012</i> | 29-36g(e) |
| Sec. 3 | <i>October 1, 2012</i> | 53-202d(a) |

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

There is no fiscal impact associated with expanding access to firearm data to United States Probation Officers in the performance of their duty. Access to the data is currently available to law enforcement agencies and other entities.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**HB 5550*****AN ACT PROVIDING FEDERAL PROBATION OFFICERS WITH ACCESS TO FIREARM DATA REGARDING PROBATIONERS.*****SUMMARY:**

This bill allows U.S. Probation Office employees performing their duties to access the names and addresses of people issued (1) permits for the retail sale of handguns (pistols or revolvers), (2) state or temporary state permits to carry a handgun, (3) eligibility certificates to possess a handgun, or (5) certificates for possession of an assault weapon.

Current law allows disclosure of this information only to (1) law enforcement officials performing their duties, (2) a person selling a handgun when necessary to verify a permit or eligibility certificate is valid, and (3) the Department of Mental Health and Addiction Services when related to someone subject to a commitment order for psychiatric disabilities.

With exceptions, the law requires a permit to carry or sell at retail and an eligibility certificate to possess handguns. Possession of assault weapons is generally banned except for people who obtained a certificate of possession as of a certain date.

EFFECTIVE DATE: October 1, 2012

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 45 Nay 0 (04/02/2012)